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PARLIAMENTARY DEBATES
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WRITTEN STATEMENTS AND WRITTEN ANSWERS

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[I] indicates that the member concerned has a relevant registered interest. The full register of interests can be found at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

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Ministers and others who make Statements or answer Questions are referred to only by name, not their ministerial or other title. The current list of ministerial and other responsibilities is as follows.

<i>Minister</i>	<i>Responsibilities</i>
Baroness Evans of Bowes Park	Leader of the House of Lords and Lord Privy Seal
Earl Howe	Minister of State, Ministry of Defence and Deputy Leader of the House of Lords
Lord Ahmad of Wimbledon	Minister of State, Foreign and Commonwealth Office
Baroness Anelay of St Johns	Minister of State, Department for Exiting the European Union
Lord Ashton of Hyde	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
Lord Bates	Minister of State, Department for International Development and Treasury Spokesman
Lord Bourne of Aberystwyth	Parliamentary Under-Secretary of State, Department for Communities and Local Government, Northern Ireland Office
Baroness Buscombe	Parliamentary Under-Secretary of State, Department for Work and Pensions
Lord Callanan	Parliamentary Under-Secretary of State, Department for Transport
Baroness Chisholm of Owlpen	Whip
Earl of Courtown	Deputy Chief Whip
Lord Duncan of Springbank	Parliamentary Under-Secretary of State, Scotland Office
Lord Gardiner of Kimble	Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs
Baroness Goldie	Whip
Lord Keen of Elie	Advocate-General for Scotland and Ministry of Justice Spokesperson
Lord Nash	Parliamentary Under-Secretary of State, Department for Education
Lord O'Shaughnessy	Parliamentary Under-Secretary of State, Department of Health, Whip
Lord Prior of Brampton	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
Baroness Sugg	Whip
Lord Taylor of Holbeach	Chief Whip
Baroness Vere of Norbiton	Whip
Baroness Williams of Trafford	Minister of State, Home Office and Women and Equalities Spokesperson
Lord Young of Cookham	Whip
Viscount Younger of Leckie	Whip and Wales and Scotland Office Spokesperson

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Written Statements

Wednesday, 13 September 2017

Biometrics Commissioner: Annual Report

[HLWS131]

Baroness Williams of Trafford: I am pleased to announce that my rt hon Friend the Home Secretary is today publishing the third annual report of the Biometrics Commissioner, together with the government's response.

The Biometrics Commissioner, Paul Wiles, is appointed under Section 20 of the Protection of Freedoms Act 2012. His responsibilities are:

- to decide applications by the police for extended retention of DNA profiles and fingerprints from persons

arrested for serious offences but not charged or convicted;

- to keep under review National Security Determinations made by Chief Officers under which DNA profiles and fingerprints may be retained for national security purposes;

- to exercise general oversight of police use of DNA samples, DNA profiles and fingerprints.

His report is a statutory requirement of section 21 of the Protection of Freedoms Act 2012.

I am grateful to Mr Wiles for this report. No redactions to it have been made on the grounds of national security. The Government has considered it and produced a response.

Copies of the report will be available from the Vote Office. The Government's response will be placed in the House Library.

Written Answers

Wednesday, 13 September 2017

Afghanistan: Military Intervention

Asked by *Marquess of Lothian*

To ask Her Majesty's Government, in the light of the announcement by President Trump on 21 August of his Afghan strategy, what assessment they have made of the impact of that strategy on the number of British military personnel in Afghanistan. [HL1392]

Earl Howe: Like the US, the UK has a long-term commitment to Afghanistan. Supporting the Afghan Government and the Afghan National Security and Defence Forces (ANSDF) through the NATO Resolute Support train, advise and assist mission helps to prevent the country from becoming a safe haven for terrorists and keeps space open for a politically negotiated solution to the conflict.

The UK currently has 500 troops deployed in Afghanistan and routinely assesses its force levels in theatre. At the NATO Defence Ministerial (29 June 2017) the UK announced that it is increasing its commitment to Afghanistan, with around 85 additional troops to support NATO's mission in the country. These additional troops will extend our support to the development of the Afghan Army, Police and Air Force, and will provide additional mentors for ANSDF training and development. The announcement of the US South Asia strategy has not altered the UK's commitment and support to Afghanistan.

Airports: Disability

Asked by *Baroness Randerson*

To ask Her Majesty's Government what discussions they have had with the four airports rated in the Civil Aviation Authority's Airport Accessibility Report published in August as poor for the assistance they provide to passengers with disabilities or reduced mobility. [HL1401]

Lord Callanan: Both ministers and officials have raised the importance of addressing accessibility issues with the aviation sector a number of times over recent months. We have discussed the findings of the report with the Civil Aviation Authority (CAA), which is working with the airports concerned to address the quality of service.

Monitoring the airports' performance in this field, including compliance to and enforcement of the relevant legislation, is done by the CAA. The CAA has implemented a performance framework to the aviation sector, under which UK airports are required to set, measure and report on their performance against a range of measures relevant to the assistance service. The Airport Accessibility Report tracks performance against the framework, increasing transparency to the passenger and enabling the CAA to hold the airports into account. The

CAA has secured commitments from the airports concerned that they will make the necessary improvements to be able to deliver a consistent and high quality assistance service.

The Department for Transport has begun the process of developing a new strategy for UK aviation. This strategy will put the consumer back at the heart of our thinking, and ensure that the sector is delivering for consumers and the country as a whole.

Diesel Vehicles: Exhaust Emissions

Asked by *Lord Blencathra*

To ask Her Majesty's Government what assessment they have made of the investigation by the German anti-trust authorities into German car manufacturers that are alleged to have operated a cartel and colluded to misrepresent diesel emissions; whether they intend to report those companies to the National Crime Agency to investigate whether any UK directors and managers were involved; and if not, why not. [HL1364]

Lord Prior of Brampton: Investigations into alleged anti-competitive practices are a matter for the independent competition authorities – the UK's Competition and Markets Authority and, where relevant, the European Commission.

Electric Vehicles: Batteries

Asked by *Lord Mendelsohn*

To ask Her Majesty's Government whether the Faraday Challenge will promote research and development of new technologies to support the sustainable disposal or recycling of used electric vehicle batteries. [HL1430]

Lord Prior of Brampton: £246m of funding from the Industrial Strategy Challenge Fund has been committed to the 'Faraday Challenge' to develop world leading batteries, designed and manufactured in the UK, to fully exploit the industrial opportunity of vehicle electrification. The scope of research is expected to focus on themes including safety, cost reduction, performance and recyclability.

Electricity: Storage

Asked by *Baroness Featherstone*

To ask Her Majesty's Government what definition of electricity storage they intend to use in the provision of storage licences. [HL1253]

Lord Prior of Brampton: The Government and Ofgem's Smart Systems and Flexibility plan, published in July, announced that Ofgem will shortly consult on a modified generation license for electricity storage facilities. This document set out that the Government and Ofgem will use the definition of storage provided by the Electricity Storage Network, which received broad

support from industry, as the basis for defining storage in regulations including licences.

The Electricity Storage Network's definition is:

- "Electricity Storage" in the electricity system is the conversion of electrical energy into a form of energy which can be stored, the storing of that energy, and the subsequent reconversion of that energy back into electrical energy.

- "Electricity Storage Facility" in the electricity system means a facility where Electricity Storage occurs.

*Asked by **Baroness Featherstone***

To ask Her Majesty's Government whether they intend to remove the double charging of consumption levies in relation to storage facilities. [HL1254]

Lord Prior of Brampton: The Government and Ofgem's Smart Systems and Flexibility plan, published in July, addressed the issue of storage operators paying levies intended for final consumers, on the electricity they procure from energy suppliers. Electricity supplied to generation licence holders is excluded from the supply volumes used to calculate the costs of the Renewables Obligation, Contracts for Difference and Feed in Tariffs schemes, and Capacity Market auctions. Ofgem will shortly consult on a new modified generation licence for storage facilities, which would mean that holders of this licence would not pay towards such levies.

The Government has also clarified that the electricity received and stored by electricity storage facilities may be supplied to them free from the Climate Change Levy where relevant conditions are met, as set out in HM Revenue and Custom's Excise Notice CCL1/3 – Reliefs and special treatments for taxable commodities.

Faith Schools: Islam

*Asked by **Lord Warner***

To ask Her Majesty's Government whether they consider that madrassas constitute unregistered schools and are capable of placing children at risk under child protection legislation. [HL1358]

*Asked by **Lord Warner***

To ask Her Majesty's Government what progress has been made with the regulation and inspection of madrassas since the announcement made by the then Prime Minister in October 2015; and what powers local authorities and Ofsted have to intervene in the operation of madrassas where there is evidence of child abuse. [HL1359]

Lord Nash: There is no definition of a madrassah in education law. An independent institution is required to register as a school provides full-time education to five or more pupils of compulsory school age or one or more pupils with an education, health and care plan (or a statement of special educational need) or who is looked

after (within the meaning of section 22 of the Children Act 1989) and is not a school maintained by a local authority or a non-maintained special school. A madrassah will therefore only constitute an unregistered school if it is providing such education.

LAs have an overarching responsibility of local authorities for safeguarding and promoting the welfare of all children in their area, regardless of where they are educated. It is for local authorities to assess whether the threshold for intervention is met in the case of an individual child taking account of the impact and influence of environmental factors. However, wherever local authorities have reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm, they are under a duty to investigate. Local authorities should make whatever enquiries necessary to decide what, if any, action to take to safeguard or promote the child's welfare. The police can of course investigate any reports that a crime has been committed in an out-of-school education setting.

The Government published a Counter Extremism Strategy in 2015, which set out plans to introduce a new system of oversight for out-of-school education settings – such as supplementary schools, tuition centres and madrassahs. To learn more about these settings, and the potential scope and impact of any regulatory system, the department issued a call for evidence. We will make an announcement about the outcome in due course.

We are supporting local authorities to use their existing powers, as described above, to tackle concerns about the safeguarding of children in unregulated education settings.

Human Papillomavirus: Vaccination

*Asked by **Baroness Tonge***

To ask Her Majesty's Government what risks associated with the human papilloma virus vaccination have been identified and recorded. [HL1340]

Lord O'Shaughnessy: As with all vaccines and medicines, the Medicines and Healthcare products Regulatory Agency (MHRA) closely monitors the safety of human papillomavirus (HPV) vaccine. The MHRA takes advice from the Government's independent expert advisory body, the Commission on Human Medicines (CHM), when evaluating the risks and benefits of medicines and vaccines.

The possible side effects of HPV vaccine are documented in full in the Summary of Product Characteristics (SmPC) and Patient Information Leaflet (PIL). A copy of the SmPC and PIL are attached. The possible side effects are identified based on evaluation of data from pre-licensure clinical trials and continuous review of safety data accumulated during post-marketing use. The type and frequency of possible side effects of HPV vaccine are broadly similar to those of most types of vaccine routinely offered to adolescents and adults. These

are most commonly injection site reactions and sore arm, low grade fever, muscle aches, headaches, tiredness and nausea, which are short lasting. The CHM has advised that available evidence does not support a link between HPV vaccination and chronic illnesses and that the benefits in protecting against cervical cancer and other HPV-related disease outweigh the possible known side effects of the vaccines.

Extensive reviews of HPV vaccine safety have also been undertaken by various independent health bodies/authorities worldwide, such as the US Centre for Disease Control and Prevention and the World Health Organization (WHO). These have similarly concluded that evidence does not support a link between HPV vaccine and the development of a range of chronic illnesses. Most recently, in July 2017, the WHO's Global Advisory Committee on Vaccine Safety concluded that it has found no new adverse events of concern for HPV vaccine based on many very large, high quality studies.

The Answer includes the following attached material:

Product Characteristics and Patient Information [Gardasil SmPC and PIL.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-09-05/HL1340>

Military Bands: Fees and Charges

Asked by Lord Campbell of Pittenweem

To ask Her Majesty's Government what is the tariff for the presence of military bands at civilian engagements. [HL1230]

Earl Howe: The tariff for the presence of military bands at civilian engagements is a combination of the standard capitation rate of the personnel involved and other costs, such as travel and subsistence. The capitation rate can be abated where there is a clear Defence benefit in participating at an event.

Motor Vehicles: Testing

Asked by Lord Rosser

To ask Her Majesty's Government when they intend to publish their response to the consultation held from 22 September 2016 to 2 November 2016 on roadworthiness testing for fast tractors and other technical changes to vehicle testing; and what are the reasons for the delay in publishing their response. [HL1327]

Lord Callanan: The Government has analysed the responses to this consultation and is preparing a response. The proposals in this consultation are being considered alongside other related proposals in respect of changes to roadworthiness testing. The Government intends to publish a response to the consultation as soon as possible, and within this calendar year.

Parking Offences: Fines

Asked by Lord Kennedy of Southwark

To ask Her Majesty's Government what action they are planning to take against private parking companies that have access to the DVLA database and impose large fines for minor traffic infringements. [HL1383]

Lord Bourne of Aberystwyth: My Department is currently considering reforms to the private parking sector and we are determined to ensure motorists get fair treatment from private parking companies.

Private parking companies must be a member of a parking trade association if they wish to access DVLA data and issue parking charges. If they do not follow the trade association's code of practice their access to DVLA data can be suspended.

We welcome the Rt Hon Sir Greg Knight's Private Member's Bill that seeks to create an independent code of practice for private parking companies. We look forward to reading Sir Greg's recommendations.

Roads: Construction

Asked by Lord Jopling

To ask Her Majesty's Government, further to the Written Answer by Lord Ahmad of Wimbledon on 14 February (HL5245), what steps they have taken to minimise the risk of a repeat escalation of costs by 83 per cent to £13.6 million for the improvements to the A1 road near Gamston Airfield; and what admonishments to individuals or decisions to terminate or decline future contracts with individuals or firms have been taken following the Inquiry which was conducted. [HL1381]

Lord Callanan: This scheme was procured through a one-off Design and Build contract and Highways England has taken the lessons learnt into all such future schemes to ensure that such difficulties are not replicated.

A pain-gain share mechanism was part of this contract, so the contractor suffered significant losses as a result. Highways England did not issue a 'Consult Notice' to the contractor following this scheme, meaning that they did not terminate any forthcoming contracts as a direct result of the contractor's performance.

Schools: Registration

Asked by Lord Storey

To ask Her Majesty's Government what is their definition of an unregistered school; and how they ensure that safeguarding procedures are in place in those schools. [HL1331]

Asked by Lord Storey

To ask Her Majesty's Government how many unregistered schools they estimate to be in operation in England; and what are the faiths of those schools. [HL1332]

Lord Nash: An independent school is defined as any school at which full time education is provided for five or more pupils of compulsory school age, or one or more such pupils with an EHC plan or a statement of special educational needs or who is “looked after” by the local authority, and is not a school maintained by a local authority or a non-maintained special school.

Local authorities have overarching responsibility for safeguarding children and young people in their area, regardless of where they are being educated. We are supporting authorities to use their existing powers under safeguarding or health and safety legislation to disrupt and tackle both unsuitable out-of-school settings and unregistered independent schools. We also continue to work closely with Ofsted and the police to tackle such settings. In the great majority of cases that Ofsted has investigated, this collaboration has resulted in those settings complying with the law. Ofsted are continuing to investigate a small number of cases that have not yet complied.

The number of possible cases of unregistered independent schools that may be operating continues to fluctuate all the time, as new settings come to our attention and existing ones are closed down or are confirmed as not operating as schools. However, *Ofsted’s Annual Report 2015/16: education, early years and skills*, published on 1 December 2016, noted that at the time of publication, Ofsted was working on 152 possible cases that they suspected might be operating as unregistered schools. The report states that about a third of those settings were associated with particular faith groups. Ofsted will publish its next annual report later this year.

The 2016 annual report can be accessed on gov.uk at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574186/Ofsted_annual_report_education_and_skills_201516_web-ready.pdf.

The Answer includes the following attached material:

Ofsted annual report education and skills 2015-16
[Ofsted_annual_report_education_and_skills_201516.pdf]

The material can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-09-05/HL1331>

Sleeping Rough

Asked by Lord Ouseley

To ask Her Majesty's Government what steps they are taking to reduce the increasing numbers of rough sleepers; and what assessment they have made of further predicted increases this winter. [HL1307]

Lord Bourne of Aberystwyth: No one should ever have to sleep rough. That is why Government is

committed to halving rough sleeping by 2022 and eliminating it altogether by 2027.

We are investing £30 million in projects specifically to support rough sleepers. Our £20 million Rough Sleeping Grant is funding 48 projects across England, and our £10 million Social Impact Bond funding will provide personalised support for up to 1,200 homeless people with the most complex needs.

DCLG publishes regular statistics on rough sleeping, statutory homelessness and homelessness prevention and relief in England.

Small Businesses: Investment

Asked by Lord Mendelsohn

To ask Her Majesty's Government what assessment they have made of the impact of the finding contained in the Bank of England's Money and Credit June 2017 Statistical Release that there was a £0.2 billion fall in investment in non-financial small and medium sized enterprises in the year to June; and what plans they have to increase investment in such enterprises. [HL1304]

Lord Prior of Brampton: The statistical release identifies that in July 2017 new loans were made of £5.2bn compared with repayment of existing debts of £5.4bn. However in the previous month there had been a £0.4bn increase in overall lending.

These movements are best understood as part of the broader context which shows that since summer 2016, loans to non-financial small and medium sized enterprises (SMEs) have consistently been higher than the previous 12 months and this remains the case in the latest data. In the 12 months ending July 2017, net bank lending to SMEs actually rose by £1.2bn.

We are working hard to give UK SMEs the support they need to start and grow. Growth Hubs provide information and guidance across the country and British Business Bank programmes are supporting £3.4 billion of finance to more than 59,000 smaller businesses.

Yemen: Military Intervention

Asked by Lord Campbell of Pittenweem

To ask Her Majesty's Government whether any UK (1) officials, and (2) service personnel, are engaged in advising the government of Saudi Arabia on the conduct of its military operations in Yemen; and if so, how many. [HL1232]

Earl Howe: No. The UK is not a member of the Saudi-led Coalition and UK military personnel and officials are not involved in the Saudi-led Coalition's operations.

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